

REMARKS

Claims 1-38 are pending in this application. By this Amendment, claims 1, 19, 27 and 29-30 are amended and claims 37-38 are added. No new matter is added.

I. The Claims are Patentable Over the Applied References

The Office Action rejects claims 1-36 under 35 U.S.C. §103(a) over U.S. Patent No. 6,594,640 to Postrel in view of U.S. Patent No. 5,578,808 to Taylor. Applicants respectfully traverse the rejection.

By this Amendment, independent claims 1, 19, 27 and 29-30 are amended to even more clearly recite that the first memory only stores points awarded by virtual stores, that the second memory only stores points awarded by actual stores, and that the first memory and the second memory are associated with a same company (this last feature is already present in claims 27, 29, and 30).

Regarding independent claims 1 and 19, Postrel fails to disclose (1) "a first memory that only stores data of the points issued to the customer in at least one virtual store on the network;" (2) "a second memory that only stores data of the points issued to the customer in at least one actual store;" and (3) "the first memory and the second memory are associated with a same company."

Postrel fails to disclose features (1)-(3) above because Postrel only discloses a single reward server per company and discloses that purchases can be made over a network (see Figs. 4 and 5) or by terminals located at a company (see Office Action, page 6 alleging that Postrel discloses a point-of-sale (POS) terminal at col. 10, lines 1-10). Thus, points from both virtual purchases and actual purchases are stored in the same memory. For these reasons, Postrel fails to disclose a first memory storing only points issued from a virtual store, a second memory only storing points issued from an actual store, and a company having both the first memory and the second memory.

Taylor fails to cure the deficiencies of Postrel regarding features (1)-(3) above because Taylor likewise discloses only one account record per company, or where multiple accounts are disclosed (VISA), they are not accounts separated according to whether the points are awarded from a virtual store or an actual store (see Fig. 4). Taylor does not teach or suggest separate point accounts for virtual and actual purchases because Taylor is directed to a data card that can substitute for a plurality of data cards as currently used (col. 1, lines 14-18). As one of ordinary skill in the art would have known, data cards such as credit cards can be used to purchase goods both over the Internet (virtual purchases) and in actual stores (actual purchases).

Regarding independent claims 27, 29 and 30, Postrel fails to disclose (1) "a first memory that only stores data of the points issued to the customer from at least one virtual store;" (2) "a second memory that only stores data of the points issued to the customer from at least one actual store;" and (3) "a tie-up company comprising the first and second memories" as recited in claim 27 and similarly recited in claims 29-30.

Postrel and Taylor fail to disclose features (1)-(3) for the same reasons as discussed in relation to the rejections of claims 1 and 19 above.

Regarding dependent claim 18, Postrel fails to disclose an information processing center. While the Office Action cites to Postrel, col. 10, lines 1-10 as disclosing this feature, the Office Action is incorrect. The cited section states that the system of Postrel can employ a credit card infrastructure that links to a bank to facilitate payment by use of a user's points. However, the cited section emphasizes that when a credit card infrastructure is used in this way, "the card [the user's data card] is linked to the user's account" (col. 10, lines 7-8). There is no indication that an information processing center is part of this link, and an information processing center is not inherent in such a link as Postrel's system is not using the credit card infrastructure to access a credit card server as recited in claim 18, but is used to access the

user's point account. Taylor only discloses a data card that substitutes for multiple other data cards and thus does not cure the deficiencies of Postrel.

II. New Claims 37-38

New claim 37 is directed to a switching server that controls the issuance and reduction of points. Further, the switching server allocates the reduction of points such that the operation costs of the award point service system is born by the participating stores in a manner proportional to the use of the system by the stores. This feature is not present in any of the applied references.

New claim 38 is directed to a credit company registration device that enables the customer to apply to, and receive (provided the customer is qualified) acceptance from, a credit card company as part of the registration of the customer with the award point service system. This feature is not present in any of the applied references.

For the foregoing reasons, as well as for the reasons their base claims are patentable, the new claims are patentable over the applied references.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jonathan H. Backenstose
Registration No. 47,399

JAO:JHB/dxc

Attachment:
Amendment Transmittal

Date: February 11, 2008

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
